

MONTANA LEGISLATIVE HISTORY

Chapter 97 19 85

Bill H 306 S _____

Original bill & history ✓ c

H. Committee on Business + Labor

Hearing Date(s) 2/4 ✓ c

2/5 _____ c

_____ c

_____ c

_____ c

Date Out _____ c

S. Committee on Labor + Emp. Rel.

Hearing Date(s) 3/5 ✓ c

2/6 _____ c

_____ c

_____ c

Did this bill originate in an interim committee? _____ Yes ✓ No

Committee _____

Report _____

CONTENTS

xi

Chap. Num.	Senate Bill	House Sponsor	Title
87	120	Boylan	An act to remove the restriction on submitting bids by public contractors when working beyond contract time; amending sections 37-71-203 and 60-2-112, MCA; repealing section 18-2-311, MCA; and providing an immediate effective date.....Page 168
88	124	Himsel	An act to revise and clarify the review and processing of unliquidated claims against the state; amending section 17-8-202, MCA; and repealing sections 17-8-221 through 17-8-226, MCA.....Page 169
89	139	Thayer	An act allowing a seller who is subject to federal disclosure requirements the option of including the disclosure language of section 31-1-231, MCA, in the retail installment contract; amending section 31-1-231, MCA.....Page 170
90	143	Mazurek	An act amending the Development Corporation Act to change the limit on loans made to the corporation by financial institutions; amending section 32-4-302, MCA.....Page 172
91	98	Winslow	An act to permit a president of a university unit to assess fees for parking on campus subject to the approval of the Board of Regents after the regents' consultation with the respective student governing body; amending section 20-25-312, MCA.....Page 173
92	104	Marks	An act allowing counties to invest in registered warrants of school districts and municipalities; providing that the Board of County Commissioners may establish the amount of such warrants to be purchased and the interest rate to be paid the county; amending sections 7-6-2701, 7-6-4501, and 7-6-4502, MCA; and providing an effective date.....Page 174
93	210	Connelly	An act establishing the criminal offense of negligent vehicular assault while under the influence of alcohol or other drugs.....Page 176
94	213	J. Brown	An act exempting direct home salespeople from workers' compensation; amending section 39-71-401, MCA.....Page 177
95	258	Cohen	An act to add as an ex officio member of the Flathead Basin Commission the director of the Department of Health and Environmental Sciences or his designee; amending section 2-15-213, MCA.....Page 178
96	266	Harbin	An act to require that payment of taxes due the state be done by electronic funds transfer whenever the amount due is \$500,000 or greater; and providing an effective date for rulemaking authority.....Page 179
97	306	Menahan	An act revising the law relating to the Board of Athletics; removing the prohibitions against members of the Board of Athletics being amateur boxers or involved in amateur boxing; empowering the board to regulate "so you think you are tough" boxing cards and mud wrestling; allowing review of decisions of officials under certain circumstances; authorizing rules in relation to review of decisions of officials; amending sections 23-3-403 through 23-3-405, MCA; and providing an immediate effective date.....Page 180
98	336	Quilici	An act removing the requirement that the Pacific Northwest Electric Power and Conservation Planning Council submit an annual report to the Governor and Legislature; amending section 90-4-403, MCA.....Page 182
99	390	Cody	An act changing the law on driving under the influence of alcohol or drugs to include all vehicles; amending sections 61-1-103, 61-8-401, 61-8-402, 61-8-404, and 61-8-406, MCA.....Page 182
100	715	Spaeth	An act exempting from coverage under the Workers' Compensation Act employment as an official at a school amateur athletic event; amending section 39-71-401, MCA; and providing an applicability date.....Page 185
101	17	Goodover	An act to generally revise and clarify laws relating to business and labor; amending sections 30-9-410, 30-14-221, 30-15-104, 33-19-405, 33-19-406, and 39-71-406, MCA.....Page 187
102	60	Mazurek	An act to replace the Uniform Gifts to Minors Act with the Uniform Transfers to Minors Act; repealing Title 72, chapter 26, parts 1 through 4, MCA; and providing an applicability clause.....Page 189
103	123	Eck	An act increasing the amount of the maximum incentive award permitted under the statewide employee incentive award program from \$500 to \$1,500; removing the provision terminating the program; amending section 2-18-1106, MCA; repealing section 7, Chapter 552, Laws of 1981, as amended by section 1, Chapter 61, Laws of 1983; and providing an effective date.....Page 199

HOUSE FINAL STATUS

2/07 TRANSMITTED TO SENATE
3/13 REFERRED TO STATE ADMINISTRATION
3/13 HEARING
3/15 COMMITTEE REPORT-BILL CONCURRED
3/18 2ND READING CONCURRED
3/18 3RD READING CONCURRED

48 0
49 0

3/23 RETURNED TO HOUSE
3/23 SIGNED BY SPEAKER
3/23 SIGNED BY PRESIDENT

3/25 TRANSMITTED TO GOVERNOR
3/29 SIGNED BY GOVERNOR

CHAPTER NUMBER 228 EFFECTIVE DATE: 10/01/85

INTRODUCED BY RAMIREZ, REHBERG
ELIMINATE NEED TRUST OFFICE LOCATE SAME BUILDING
AS BANK, TRUST COMPANY MAIN OFFICE

1/21 INTRODUCED
1/21 REFERRED TO BUSINESS & LABOR
1/30 HEARING
1/31 ADVERSE COMMITTEE REPORT
2/01 BILL KILLED

96 0

INTRODUCED BY J. BROWN, MILES, ET AL.
SPOUSAL IMMUNITY - CHANGE TO ELIMINATE PRESENT
DOCTRINE

1/21 INTRODUCED
1/21 REFERRED TO JUDICIARY
2/04 HEARING
2/13 ADVERSE COMMITTEE REPORT
2/14 BILL KILLED

73 23

INTRODUCED BY SCHYE, D. BROWN
REIMBURSE A PARENT FOR 2 TRIPS A DAY TO BRING
PUPILS TO SCHOOL OR A BUS

1/21 INTRODUCED
1/21 REFERRED TO EDUCATION & CULTURAL RESOURCES
1/22 FISCAL NOTE REQUESTED
1/28 HEARING
1/28 FISCAL NOTE RECEIVED
2/09 ADVERSE COMMITTEE REPORT
2/11 BILL KILLED

92 3

INTRODUCED BY MENAHAN
VISION OF BOARD OF ATHLETICS LAWS
BY REQUEST OF BOARD OF ATHLETICS

1/21 INTRODUCED
1/21 REFERRED TO BUSINESS & LABOR
1/04 HEARING
1/05 COMMITTEE REPORT-BILL DO PASS
1/06 2ND READING PASS
1/07 3RD READING PASS

90 5
92 4

TRANSMITTED TO SENATE
REFERRED TO LABOR & EMPLOYMENT RELATIONS

HOUSE FINAL STATUS

3/05 HEARING
 3/06 COMMITTEE REPORT-BILL CONCURRED
 3/07 2ND READING CONCURRED
 3/09 3RD READING CONCURRED

32 16
 32 16

RETURNED TO HOUSE
 3/14 SIGNED BY SPEAKER
 3/14 SIGNED BY PRESIDENT

3/14 TRANSMITTED TO GOVERNOR
 3/18 SIGNED BY GOVERNOR

CHAPTER NUMBER 97 EFFECTIVE DATE: 3/18/85

HB 307 INTRODUCED BY MENAHAN, HARBIN, J. BROWN
 MOTORBOAT FEE IN LIEU OF TAX

1/21 INTRODUCED
 1/21 REFERRED TO TAXATION
 1/22 FISCAL NOTE REQUESTED
 1/26 FISCAL NOTE RECEIVED
 1/29 HEARING
 2/07 ADVERSE COMMITTEE REPORT
 2/08 BILL KILLED

74

HB 308 INTRODUCED BY RAMIREZ, ANDERSON
 CHANGE IRRIGATION AND DRAINAGE DISTRICT COMMISSION
 ELECTION LAWS

1/22 INTRODUCED
 1/22 REFERRED TO STATE ADMINISTRATION
 1/29 HEARING
 DIED IN COMMITTEE

HB 309 INTRODUCED BY GILBERT
 TRANSFER TRUCK SAFETY INSPECTIONS AT TERMINALS
 HIGHWAY PATROL TO PSC
 BY REQUEST OF PUBLIC SERVICE COMMISSION

1/22 INTRODUCED
 1/22 REFERRED TO BUSINESS & LABOR
 1/31 HEARING
 2/04 FISCAL NOTE REQUESTED
 2/11 FISCAL NOTE RECEIVED
 DIED IN COMMITTEE

HB 310 INTRODUCED BY WALDRON
 ABUSED HOUSEHOLD MEMBERS TO OBTAIN SELF-HELP
 TEMPORARY RESTRAINING ORDER

1/22 INTRODUCED
 1/22 REFERRED TO JUDICIARY
 1/23 FISCAL NOTE REQUESTED
 1/29 FISCAL NOTE RECEIVED
 2/04 HEARING
 2/05 COMMITTEE REPORT-BILL PASS AS AMENDED
 2/07 2ND READING PASS AS AMENDED
 2/09 3RD READING PASS

TRANSMITTED TO SENATE
 2/11 REFERRED TO JUDICIARY

HOUSE BILL NO. 306

INTRODUCED BY MENAHAN

BY REQUEST OF THE BOARD OF ATHLETICS

IN THE HOUSE

January 21, 1985	Introduced and referred to Committee on Business and Labor.
February 5, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 6, 1985	Second reading, do pass. Considered correctly engrossed.
February 7, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 8, 1985	Introduced and referred to Committee on Labor and Employment Relations.
March 6, 1985	Committee recommend bill be concurred in. Report adopted.
March 7, 1985	Second reading, concurred in.
March 9, 1985	Third reading, concurred in. Ayes, 32; Noes, 16. Returned to House.

IN THE HOUSE

March 11, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 306
2 INTRODUCED BY M. Enahan
3 BY REQUEST OF THE BOARD OF ATHLETICS
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW
6 RELATING TO THE BOARD OF ATHLETICS; REMOVING THE
7 PROHIBITIONS AGAINST MEMBERS OF THE BOARD OF ATHLETICS BEING
8 AMATEUR BOXERS OR INVOLVED IN AMATEUR BOXING; EMPOWERING THE
9 BOARD TO REGULATE "SO YOU THINK YOU ARE TOUGH" BOXING CARDS
10 AND MUD WRESTLING; ALLOWING REVIEW OF DECISIONS OF OFFICIALS
11 UNDER CERTAIN CIRCUMSTANCES; AUTHORIZING RULES IN RELATION
12 TO REVIEW OF DECISIONS OF OFFICIALS; AMENDING SECTIONS
13 23-3-403 THROUGH 23-3-405, MCA; AND PROVIDING AN IMMEDIATE
14 EFFECTIVE DATE."
15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
17 Section 1. Section 23-3-403, MCA, is amended to read:
18 "23-3-403. Board member conflict of interest. No board
19 member may:
20 (1) serve as a manager, promoter, or trainer of a
21 professional or semiprofessional boxer or wrestler ~~or--an~~
22 ~~amateur-boxer;~~
23 (2) have a financial interest or affiliation in a
24 professional or semiprofessional boxing or wrestling match
25 ~~or-an-amateur-boxing-match;~~

1 (3) serve as ring official, timer, referee, or judge
2 at a professional or semiprofessional boxing or wrestling
3 match ~~or-an-amateur-boxing-match;~~ or
4 (4) participate in a professional or semiprofessional
5 boxing or wrestling match ~~or-an-amateur-boxing-match."~~
6 Section 2. Section 23-3-404, MCA, is amended to read:
7 "23-3-404. Board jurisdiction -- license required --
8 contestant participation. (1) The board has sole management,
9 control, and jurisdiction over each professional or
10 semiprofessional wrestling or boxing match or exhibition,
11 including "so you think you are tough" boxing matches and
12 mud wrestling, involving recognition, a prize, or purse and
13 at which an admission fee is charged, either directly or
14 indirectly, in the form of dues or otherwise, to be held
15 within the state, except a match or exhibition conducted:
16 (a) by a university, college, or high school;
17 (b) by the military; or
18 (c) for contestants under 16 years of age, by a
19 recognized amateur association.
20 (2) No organization or individual may conduct a match
21 or exhibition within the board's jurisdiction unless it or
22 he is the holder of an appropriate license granted by the
23 board.
24 (3) No referee, manager, or judge may participate in a
25 match or exhibition within the board's jurisdiction unless

1 he is licensed by the board and the match or exhibition is
2 conducted by an organization or individual licensed by the
3 board.

4 (4) No professional or semiprofessional boxer or
5 wrestler may participate in a match or exhibition within the
6 board's jurisdiction unless he is licensed by the board and
7 the match or exhibition is conducted by an organization or
8 individual licensed by the board and his right to
9 participate has not been suspended under 23-3-603."

10 Section 3. Section 23-3-405, MCA, is amended to read:

11 "23-3-405. Rules. (1) The board may adopt rules for
12 the administration and enforcement of this chapter.

13 (2) The rules must include but are not limited to the
14 following:

15 (a) the granting, renewal, suspension, and revocation
16 of licenses and the qualification requirements for those to
17 be licensed to conduct matches or exhibitions or to be
18 licensed as referees, managers, or judges. Such
19 qualifications must include appropriate knowledge,
20 experience, and integrity.

21 (b) the labeling of a match as a championship match;

22 (c) the number and length of rounds and the weight of
23 gloves;

24 (d) the extent and timing of the physical examination
25 of contestants; and

1 (e) the attendance of a referee and his powers and
2 duties; and

3 (f) review of decisions made by officials.

4 (3) The rules shall meet or exceed the safety codes
5 required by recognized professional boxing and wrestling
6 organizations and provide reasonable measures for the fair
7 conduct of the matches or exhibitions and for the protection
8 of the health and safety of the contestants. The rules shall
9 require a physical examination of each contestant prior to
10 each match or exhibition and the attendance of a licensed
11 physician at ringside and shall provide for the
12 qualifications of judges, referees, and seconds and for the
13 payment of such officials by the promoter."

14 NEW SECTION. Section 4. Extension of authority. Any
15 existing authority of the board of athletics to make rules
16 on the subject of the provisions of this act is extended to
17 the provisions of this act.

18 NEW SECTION. Section 5. Effective date. This act is
19 effective on passage and approval.

-End-

Representative Brandewie asked Mr. Ferguson what the cost will be to the department and what the issuance cost is estimated to be. Mr. Ferguson explained that it will take approximately \$60,000 to do and with proper planning should average approximately \$300 per airport.

Representative Brandewie then asked Mr. Ferguson if he feels the licensing is necessary. Mr. Ferguson explained that due to the court order he must remain neutral and they are mandated by court order to proceed.

Representative Brandewie explained that he will be introducing House Bill 354 and suggested that the committee defer action on this bill until House Bill 354 has been heard.

Representative Wallin asked Representative Schye if the \$10 fee is paid yearly or a one time fee. Representative Schye explained that it is an annual fee and that all aircraft must register with the state to account for all aircraft in the state and that an aircraft must be registered before taxes can be paid.

Representative Glaser asked if private landing strips must be registered. Mr. Ferguson explained that if an airstrip is used for private use and not open to the public, they will not have to be registered.

Representative Driscoll asked Representative Schye if the registration requirement is really necessary. Representative Schye explained that Montana has more pilots per capita than any other state with the exception of Alaska that he has never heard anyone claim harrassment and that the majority of pilots in the state register voluntarily.

There being no further discussion by proponents or opponents all were excused by the chairman and the hearing on House Bill 420 was closed.

HOUSE BILL 306: Hearing commenced on House Bill 306. Representative Red Menehan, District #67, sponsor of the bill, by the request of the Board of Athletics, stated that this bill removed the restriction against a member of the Board of Athletics from being an amateur boxer or being involved in the sport, allows the board to regulate "so you think you are tough" boxing cards and mud wrestling, and allows the board to review decisions made by officials.

Proponent Mary Lou Garrett, representing the Board of Athletics, stated that Montana is the only state that does not have the right to review decisions made by an official.

Representative Ellerd asked Representative Menahan what a "so you think you are tough" contest is. Representative Menahan explained that it is a contest that has no weight class set or regulations.

There being no further discussion by proponents or opponents all were excused by the chairman and the hearing on House Bill 306 was closed.

HOUSE BILL 371: Hearing commenced on House Bill 371. Representative Bruce Simon, District #91, sponsor of the bill, stated that this bill repeals the section of law that includes tires, casings, and/or tubes mounted on a motor vehicle as an integral and component part of the vehicle and subject to any conditional sales contract, mortgage, lease, or other lien on the motor vehicle.

Proponent George Allen, representing the Montana Retail Association, supplied written testimony which is attached hereto as Exhibit 5.

Proponent Earl Springer, representing Roemer's Tire Center, Inc., of Missoula, stated that he is no longer in the truck tire business because he cannot afford it. Mr. Springer did address a letter to each of the representatives.

Proponent Jerry Noble, of Great Falls, representing Montana Tire Dealers, stated that in 1984 he suffered a loss in excess of \$35,000 due to non-payment of tires. Mr. Noble explained that this bill would help extensively in dealing with truckers.

Proponent Tom Sherry, of Missoula, representing the Montana Tire Dealers, stated that he has suffered in excess of \$325,000 in losses that could have been reclaimed if this law was not on the books. Mr. Sherry explained that in 1977 he refused credit to a trucker and then had a call from a banker asking that credit be extended to this individual. Mr. Sherry did and with 72 hours after the tires were put on, the banker repossessed the truck and there was nothing that he could do.

Proponent Bob Bakke, representing Bakke Tire Service, stated that they are being excluded from getting any value of the truck back after they have improved the value by putting the tires on.

Opponent George Bennett, representing the Montana Bankers Association, stated that this law has been on the books since

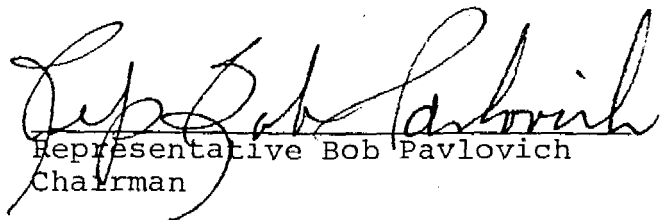
ACTION ON HOUSE BILL 306: Representative Ellerd made a motion that House Bill 306 DO PASS. Second was received and House Bill 306 PASSED unanimously.

ACTION ON HOUSE BILL 371: Representative Simon made a motion that House Bill 371 DO PASS. Representative Glaser expressed his concern of the increase in down payments that this would cause, and stated that the dealers have the recourse, not the banks. Representative Schultz added that the banks do use the tires as a feature in selling repossessed vehicles. Representative Simon stated that the bill does not separate tires from trucks. Representative Bachini explained that it is not fair for banks to have the gain on tires, that tire dealers should be given a chance. Question being called, House Bill 371 PASSED, with all but Representatives Glaser, Howe, Keller, and Wallin voting yes.

ACTION ON HOUSE BILL 429: Representative Driscoll stated that at the prison, the department tries to put the inmates to work to help prevent friction and that there is nothing these inmates can do that won't infringe on private enterprise. Representative Ellerd moved that House Bill 429 DO PASS and moved the proposed amendments. Representative Kadas added that the amendments are even more restrictive. The inmates should be put to work to make them productive citizens and that it costs tax dollars to keep these inmates in prison. Question being called, the DO PASS AS AMENDED motion, PASSED with all but Representatives Driscoll, Hansen, Howe, Kadas, and Nisbet voting yes.

ACTION ON HOUSE BILL 499: Representative Kadas made a motion that House Bill 499 DO PASS. Representative Kadas then moved the amendments that are attached hereto as Exhibit 8. The amendments PASSED unanimously. Representative Kadas then made a substitute motion that House Bill 499 BE TABLED. House Bill 499 was TABLED unanimously.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 10:55 a.m.


Representative Bob Pavlovich
Chairman

STANDING COMMITTEE REPORT

February 4

1985

page 1 of 1

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration HOUSE Bill No. 306

FIRST reading copy (WHITE)
color

REVISION OF BOARD OF ATHLETICS LAWS

Respectfully report as follows: That HOUSE Bill No. 306

DO PASS

VISITORS' REGISTER

HOUSE BUSINESS AND LABOR COMMITTEE

BILL House Bill 306

Date February 4, 1985

SPONSOR Representative Menahan

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

MINUTES OF THE MEETING
LABOR AND EMPLOYMENT COMMITTEE
MONTANA STATE SENATE

March 5, 1985

The minutes of the eighteenth meeting of the Labor and Employment Committee was called to order at 1:05 p.m. on March 5, 1985, by Chairman J. D. Lynch in Room 413/415 of the Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 213: Chairman Lynch called on Representative Jan Brown, sponsor of House Bill 213. House Bill 213 is an act exempting direct home salespeople from workers' compensation. The purpose of this bill is to return direct selling such as Amway distributors to the limited purpose of House Bill 213 is to return direct sellers, such as Amway distributors, to the status accorded them under the Workers' Compensation Act prior to the 1983 session. As you know, during the 1983 session, a law was enacted requiring certain independent contractors to obtain workers' compensation insurance for themselves or an exemption from the Act. The purpose of the 1983 law was to clarify the status of workers who were either employees or independent contractors. Direct sellers such as Amway distributors have always been deemed independent contractors, however, so that the new law does nothing to clarify their status, but imposes a burden not placed upon them in any other state.

Vice Chairman Manning took over for Chairman Lynch.

PROPOSERS OF HOUSE BILL 213: George Allen, representing the Montana Retail Association, submitted testimony in support of House Bill 213. (Exhibit No. 1)

David Duncan who lives in Great Falls and is an independent distributor of Amway products, submitted testimony in support of HB 213. (Exhibit No. 2)

Cathy Galetti, representing Avon in Butte, submitted testimony in support of House Bill 213. (Exhibit No. 3)

Janelle Fallan, representing the Montana Chamber of Commerce, said the Chamber supports this bill because the direct selling industry provides a lot of work and a lot of income for people who might not otherwise be working. Direct selling gives people an opportunity to develop skills they might not have.

March 5, 1985

Senator Towe asked if this is a presumption that 407 of the 12,000 workshifts apply to the general fund program.

Gary Blewett replied that the only provision in the general fund is to identify that it did occur during occupation and that the individual lived in Montana for 10 years.

Senator Aklestad said, "You said that there was a concern to the insurance people and I was just wondering where they are at."

Senator Thayer asked if the insurance people were in agreement with this bill.

Representative Rameriz said yes, they are.

Senator Thayer asked if they have excluded this some way, or can employers still get coverage to protect themselves.

Karl Englund said no, they are not excluding things, their concern is about federal legislation in this area.

Senator Keating asked in which case that would impact the general fund.

Representative Ramirez said he had no idea if had any impact on the general fund. All he wants is for it to be fair so that federal intervention would not occur.

Senator Aklestad said the industry will sell more insurance.

Representative Ramirez said no, he was not talking about the insurance industry, he was talking about the employers.

Senator Keating will carry this bill.

Representative Ramirez closed on House Bill 251.

The hearing was closed on House Bill 251.

CONSIDERATION OF HOUSE BILL 306: Chairman Lynch called on Representative Menahan, sponsor of House Bill 306. House Bill 306 is a request by the Board of Athletics. It is to eliminate any members of the Board of Athletics being amateur boxers or involved in amateur or professional boxing.

PROPOSERS OF HOUSE BILL 306: Mary Lou Garrett, representing the Department of Commerce, rose in support of this bill and said she would answer any questions.

OPPOSERS OF HOUSE BILL 306: None were present.

QUESTIONS FROM THE COMMITTEE: Senator Keating asked why amateur boxing matches. Does this mean a board member can be an amateur boxer.

Representative Menahan said yes.

Senator Keating asked if the Department of Commerce has rule making authority.

Mary Lou Garrett said yes.

Representative Menahan closed on House Bill 306.

Chairman Lynch will carry the bill.

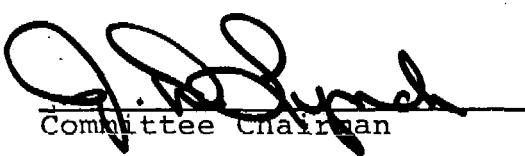
The hearing was closed on House Bill 306.

EXECUTIVE ACTION ON HOUSE BILL 306: Senator Haffey moved concurrence on House Bill 306. On a voice vote, the Committee voted unanimously that House Bill 306 BE CONCURRED IN.

EXECUTIVE ACTION ON HOUSE BILL 251: Senator Keating moved concurrence on House Bill 251. On a voice vote, the Committee voted unanimously, except for Senator Aklestad who voted no, that House Bill 251 BE CONCURRED IN.

EXECUTIVE ACTION ON HOUSE BILL 213: Senator Thayer moved concurrence on House Bill 213. On a voice vote, the Committee voted unanimously that House Bill 213 BE CONCURRED IN.

ADJOURNMENT: The committee, having no further business, adjourned at 2:01.


Committee Chairman

March 5 55 8:51

Labour + employment

14-00000

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(3) "Taxes" means the taxes provided for in this title.

Section 2. Taxes to be paid by electronic funds transfer — limitation. All taxes due the state must be paid by electronic funds transfer whenever the amount due is \$500,000 or greater. Whenever the payment of taxes is required to be made by electronic funds transfer under this section and the due date falls on a Saturday, Sunday, or legal holiday, the payment may be made on the first business day thereafter.

Section 3. Rules. The department shall adopt rules necessary to implement [sections 1 through 3], including but not limited to rules:

(1) coordinating the filing of tax returns with the payment of taxes by electronic funds transfer; and

(2) specifying the form and content of electronic funds transfer messages in order to ensure the proper receipt and crediting of the tax payment.

Section 4. Codification instruction. Sections 1 through 3 are intended to be codified as an integral part of Title 15.

Section 5. Effective date. Section 3 and this section are effective July 1, 1985.

Approved March 18, 1985.

CHAPTER NO. 97

[HB 306]

AN ACT REVISING THE LAW RELATING TO THE BOARD OF ATHLETICS; REMOVING THE PROHIBITIONS AGAINST MEMBERS OF THE BOARD OF ATHLETICS BEING AMATEUR BOXERS OR INVOLVED IN AMATEUR BOXING; EMPOWERING THE BOARD TO REGULATE "SO YOU THINK YOU ARE TOUGH" BOXING CARDS AND MUD WRESTLING; ALLOWING REVIEW OF DECISIONS OF OFFICIALS UNDER CERTAIN CIRCUMSTANCES; AUTHORIZING RULES IN RELATION TO REVIEW OF DECISIONS OF OFFICIALS; AMENDING SECTIONS 23-3-403 THROUGH 23-3-405, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 23-3-403, MCA, is amended to read:

"23-3-403. Board member conflict of interest. No board member may:

(1) serve as a manager, promoter, or trainer of a professional or semiprofessional boxer or wrestler;

(2) have a financial interest or affiliation in a professional or semiprofessional boxing or wrestling match;

(3) serve as ring official, timer, referee, or judge at a professional or semiprofessional boxing or wrestling match; or

(4) participate in a professional or semiprofessional boxing or wrestling match."

Section 2. Section 23-3-404, MCA, is amended to read:

"23-3-404. Board jurisdiction — license required — contestant participation. (1) The board has sole management, control, and jurisdiction over each professional or semiprofessional wrestling or boxing match or exhibition, *including "so you think you are tough" boxing matches and mud wrestling*, involving recognition, a prize, or purse and at which an admission fee is charged, either directly or indirectly, in the form of dues or otherwise, to be held within the state, except a match or exhibition conducted:

(a) by a university, college, or high school;

(b) by the military; or

(c) for contestants under 16 years of age, by a recognized amateur association.

(2) No organization or individual may conduct a match or exhibition within the board's jurisdiction unless it or he is the holder of an appropriate license granted by the board.

(3) No referee, manager, or judge may participate in a match or exhibition within the board's jurisdiction unless he is licensed by the board and the match or exhibition is conducted by an organization or individual licensed by the board.

(4) No professional or semiprofessional boxer or wrestler may participate in a match or exhibition within the board's jurisdiction unless he is licensed by the board and the match or exhibition is conducted by an organization or individual licensed by the board and his right to participate has not been suspended under 23-3-603."

Section 3. Section 23-3-405, MCA, is amended to read:

"23-3-405. Rules. (1) The board may adopt rules for the administration and enforcement of this chapter.

(2) The rules must include but are not limited to the following:

(a) the granting, renewal, suspension, and revocation of licenses and the qualification requirements for those to be licensed to conduct matches or exhibitions or to be licensed as referees, managers, or judges. Such qualifications must include appropriate knowledge, experience, and integrity.

(b) the labeling of a match as a championship match;

(c) the number and length of rounds and the weight of gloves;

(d) the extent and timing of the physical examination of contestants;

(e) the attendance of a referee and his powers and duties; *and*

(f) *review of decisions made by officials.*

(3) The rules shall meet or exceed the safety codes required by recognized professional boxing and wrestling organizations and provide reasonable measures for the fair conduct of the matches or exhibitions and for the protection of the health and safety of the contestants. The rules shall require a physical examination of each contestant prior to each match or exhibition and the attendance of a licensed physician at ringside and shall provide for the qualifications of judges, referees, and seconds and for the payment of such officials by the promoter."

Section 4. **Extension of authority.** Any existing authority of the board of athletics to make rules on the subject of the provisions of this act is extended to the provisions of this act.

Section 5. **Effective date.** This act is effective on passage and approval.

Approved March 18, 1985.

CHAPTER NO. 98

[HB 336]

AN ACT REMOVING THE REQUIREMENT THAT THE PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND LEGISLATURE; AMENDING SECTION 90-4-403, MCA.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 90-4-403, MCA, is amended to read:

"90-4-403. Duties of council members. The council members shall:

- (1) undertake the functions and duties prescribed by P.L. 96-501 and in applicable state law; and
- (2) serve on a full- or part-time basis as determined by the governor."

Approved March 18, 1985.

CHAPTER NO. 99

[HB 390]

AN ACT CHANGING THE LAW ON DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS TO INCLUDE ALL VEHICLES; AMENDING SECTIONS 61-1-103, 61-8-401, 61-8-402, 61-8-404, AND 61-8-406, MCA.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 61-1-103, MCA, is amended to read:

"61-1-103. Vehicle. "Vehicle" means every device in, upon, or by which any person or property may be transported or drawn upon a public